

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.) 2:10-CR-205-JCM (LRL)
)
 ANDREW JARED BOTHOF,)
)
 Defendant.)

AMENDED PRELIMINARY ORDER OF FORFEITURE

This Court finds that on August 4, 2011, defendant ANDREW JARED BOTHOF pled guilty to Counts One through Four of a Four-Count Criminal Indictment charging him in Count One with Possession of a Controlled Substance with Intent to Distribute - Marijuana, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(vii); in Count Two with Manufacture of a Controlled Substance - Marijuana, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(vii); in Count Three with Possession of a Controlled Substance with Intent to Distribute - Marijuana, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C); and in Count Four with Maintaining Drug-Involved Premises, in violation of Title 21, United States Code, Section 856(a)(1). Docket #3, #29, #30.

This Court finds defendant ANDREW JARED BOTHOF agreed to the forfeiture of the property set forth in Forfeiture Allegations of the Criminal Indictment and the Bill of Particulars and agreed to in the Plea Memorandum. #3, #29, #30, #33.

...

1 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
2 America has shown the requisite nexus between property set forth in the Forfeiture Allegations of
3 the Criminal Indictment, the Bill of Particulars and the Plea Memorandum and the offenses to
4 which defendant ANDREW JARED BOTHOF pled guilty.

5 The following assets are subject to forfeiture pursuant to Title 18, United States Code,
6 Section 924(d) and Title 28, United States Code, Section 2461(c); and Title 21, United States Code,
7 Section 881(a)(11) and Title 28, United States Code, Section 2461(c):

- 8 a) Ruger, Model GP100, .357 caliber Revolver serial number 175-46298;
- 9 b) Smith and Wesson, Model Magnum, .44 caliber Revolver, serial number N748801;
- 10 c) Smith and Wesson, .22 caliber Revolver, serial number M166375;
- 11 d) Ruger, Model NRA, .22 caliber Pistol, serial number NRA-06773;
- 12 e) AK-47, 7.62X39 caliber Rifle, serial number JL4630;
- 13 f) Ruger, Model 10/22, .22 caliber Rifle, serial number 245-80694;
- 14 g) Model MINI-14, .223 caliber Rifle, serial number 186-41469;
- 15 h) Model 1894, .44 caliber Rifle, serial number 24132222;
- 16 i) 12 gauge shotgun, Model 870, serial number C463694;
- 17 j) 12 gauge shotgun, Model 870, serial number S207864V; and
- 18 k) any and all ammunition ("property").

19 This Court finds the United States of America is now entitled to, and should, reduce the
20 aforementioned property to the possession of the United States of America.

21 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
22 the United States of America should seize the aforementioned property.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest
24 of ANDREW JARED BOTHOF in the aforementioned property is forfeited and is vested in the
25 United States of America and shall be safely held by the United States of America until further
26 order of the Court.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
2 America shall publish for at least thirty (30) consecutive days on the official internet government
3 forfeiture website, www.forfeiture.gov, or the *Las Vegas Review Journal/Sun*, a newspaper of
4 general circulation, notice of this Order, which shall describe the forfeited property, state the time
5 under the applicable statute when a petition contesting the forfeiture must be filed, and state the
6 name and contact information for the government attorney to be served with the petition, pursuant
7 to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

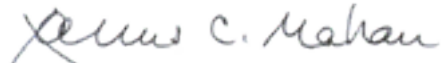
8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
9 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
11 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
12 following address at the time of filing:

13 MICHAEL A. HUMPHREYS
Assistant United States Attorney
14 DANIEL D. HOLLINGSWORTH
Assistant United States Attorney
15 Nevada State Bar No. 1925
Lloyd D. George United States Courthouse
16 333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
18 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
19 following publication of notice of seizure and intent to administratively forfeit the above-described
20 property.

21 DATED this 25th day of August, 2011.

22
23
24 
25 UNITED STATES DISTRICT JUDGE
26

CERTIFICATE OF SERVICE

I, Elizabeth Baechler-Warren, certify that the following individual was served a copy of the Amended Preliminary Order of Forfeiture on August 23, 2011, by the below identified method of service:

CM/EFC:

Stephen Stein
Stein & Rojas
520 S. Fourth St
Las Vegas, NV 89101
Email: stephensteinesq@yahoo.com
Counsel for the Defendant Andrew Jared Bothof

/s/ Elizabeth A. Baechler-Warren
Elizabeth A. Baechler-Warren
Forfeiture Support Associate Paralegal